

REMARKS

Claims 1, 4-7 and 29-41 are the claims currently pending in the application. By way of this amendment independent claims 1, 29 and 36 have been amended to recite with greater specificity that the inventive methodology entails drug delivery by a catheter that is, in the case of claims 1 and 29, intrathecal and in the case of claim 36, is by way of an intraventricular catheter that extends into a cerebral ventricle. Additionally, the independent claims have been amended to emphasize that the non-steroidal anti-inflammatory drug delivered as part of an inventive methodology is in fact non-inhibitory of platelets. Support for amendment by way of intrathecal and intraventricular catheters is found *inter alia* at page 22, line 5 and page 16, line 8 of the instant specification. Support for amendments with respect to non-inhibition of platelets is found at page 16, line 14 of the instant specification. As such, it is submitted that no new matter has been added by way of this amendment.

The pending claims are submitted for reconsideration and allowance as a result of the above clarifying amendments and the following remarks. The inventive methodologies as exemplified by independent claims 1, 29 and 36 have in common the recitation of delivering a non-steroidal anti-inflammatory drug that is non-inhibitory of platelets by way of a central nervous system catheter. Applicant readily concedes that the drugs used in the inventive methodologies are themselves well known to the art. However, Applicant submits that there is a significant difference in degree in both therapeutic effect and invasiveness associated with administration of such drugs by central nervous system catheter according to the claimed invention, as compared to conventional oral, intramuscular or bloodstream administration. Additionally, a drug delivered according to the claimed methodology as embodied in independent claims 1, 29 and 36 recites that the drug be non-inhibitory of platelets. The non-inhibition of platelets is detailed in the instant

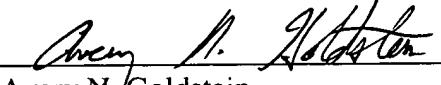
specification at page 17, lines 8-13 as being an important attribute of successful treatment according to the present methodology as contrasted to the prior art.

None of the prior art of record is submitted to alone or in combination teach or motivate these aspects of the present invention. Indeed, moving towards a more invasive delivery methodology and one that avoids systemic delivery is submitted to be counter intuitive. Likewise, platelet inhibition and interference with clotting mechanisms are often touted attributes of this class of drugs, yet as detailed in the instant specification on page 17, lines 8-13, these attributes have precluded discovery of the instant invention.

Various claim rejections made under 35 U.S.C. §112, first and second paragraphs, are believed to have been addressed by the claim amendments made herein. Reconsideration of the rejections detailed in Paper No. 20040228 with this regard is requested.

Claims 1, 4-7 and 29-41 remain pending in this application. In light of the above amendments and remarks, reconsideration and allowance of these claims is respectfully requested. Should the Examiner find to the contrary, he is kindly requested to contact the undersigned attorney in charge of this application to resolve any outstanding issues.

Respectfully submitted,



Avery N. Goldstein
Registration No. 39,204
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.
280 N. Old Woodward Ave., Suite 400
Birmingham, MI 48009-5394
(248) 647-6000

Attorney for Applicant